Division Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

Misc.Appeal No. 445 of 2004

(Memorandum of Misc.Appeal U/s 173 of M.V. Act)

APPELLANTS CLAIMANTS :

1. Smt. Nirmala Dubey Wd/o Late Shri Murari Dubey, aged 28 years, occupation house wife.
2. Sachindra Kumar Dubey S/o Late Shri Murari Dubey, aged 12 years, occupation student Class IXth.
3. Kumari Sunita Dubey D/o Late Shri Murari Dubey, aged 9 years, occupation student Class VIth.
4. Santosh Kumar Dubey S/o Late Sgri Murari Dubey, aged 7 years, occupation student Class 3rd.
5. Parmanand Dubey, aged 70 years.
6. Smt. Tetar Devi W/o Shri Parmanand Dubey aged 60 years.

Appellants no.2 to 4 are minors, through their natural guardian/mother Smt. Nirmala Dubey

All at present residing at Urla, Raipur (CG) Permanent r/o Village Banpurwa, Post Tildag, P.S. and Distt Garhwa (Jharkhand).

P. R. No. ..... 9/6/04 Presented by Shri Sunil Sahu dated 9.6.04

Versus

RESPONDENTS :

1. Dilip Kumar Sahu S/o Manrakhan Lal Sahu, aged 25 years, driver, resident of Budhwari Bazar Saragaon, P.S. Kharora, District Raipur (CG).
2. Agatram Sahu S/o Shri Tulsiram Sahu aged 40 years, occupation taxi business, r/o Matiya Mowa, P.S. Dharsivan, District Raipur (CG).
3. Branch Manager, The New India Insurance Company, Branch Bajrang Market, R.D.A. Building, Raipur (CG) Cover Note No. 221247 Period of insurance : 17.2.2002 to 16.2.03

MEMORANDUM OF MISC.APPEAL UNDER SECTION 173 OF MOTOR VEHICLES ACT

Claim before the Claims Tribunal	:	Rs. 17,56,000/-
Claim awarded by the Tribunal	:	Rs. 01,50,000/-
Enhancement of award	:	Rs. 5,60,000/-

Arising out of award dated 30.1.2004 passed in Claim Case No. 63/2003 by the learned IVth Addl Motor Accident Claims Tribunal, Raipur (Presided by Shri M.D.Katulkar), the appellants named above

(16) (17)

LOK ADALAT

Chhattisgarh High Court Campus, Bilaspur

Case No. M.A.No.445 of 2004

Appellant/s Smt. Nirmala Dubey and others

Versus

Respondent/s Dilip Kumar Sahu and others

Appellant with / by Shri Awadh Tripathi Advocate

Respondent with / by Shri Ali Asgar Advocate

AWARD

(Passed on 5-8-06)

Parties file a compromise petition. The terms are just. We hereby record the compromise and pass an award in terms of compromise, and order that appellant / respondent shall pay to respondent / appellant a sum of Rs. 30,000/- (Rupees thirty thousand only) by way of compensation together with interest @ x x x % per annum from x x x to x x x x x in addition to the amount already awarded.

Sd/-
L.C.BHADOO
Judge

Sd/-
Member - Lok Adalat
High Court of Chhattisgarh
BILASPUR